

**Town of Westfield
Planning Board
MINUTES
March 4, 2019**

The Westfield Planning Board met on March 4, 2019 at 7:30 pm in the Council Chambers in the Westfield Municipal Building, 425 East Broad Street, Westfield, NJ.

In compliance with Chapter 231 P.C. OPEN PUBLIC MEETINGS ACT in the State of New Jersey, adequate notice of this meeting was provided to all members of the Planning Board and the newspapers that have been designated to receive notice, the Star Ledger and the Westfield Leader.

Chairman Newell called the meeting to order and opened the meeting by calling all present to join in the Pledge of Allegiance to the Flag.

ROLL CALL:

PRESENT: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael La Place, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman
ABSENT: Michael Ash and Linda Habgood
ALSO PRESENT: Alan Trembulak, Planning Board Attorney, Donald Sammet, Town Planner and Linda Jacus, Administrative Secretary

ADOPTIONS OF MINUTES:

Chairman Newell called for a motion to adopt the minutes of the February 4, 2019 meeting. Michael La Place made a motion to adopt; Matthew Ceberio seconded.

ALL IN FAVOR: Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael La Place, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman
OPPOSED: None
ABSTAINED: None
ABSENT: Linda Habgood and Michael Ash

Motion carried.

ADOPTION OF RESOLUTIONS:

None.

NEW APPEALS:**FAB Properties, LLC., 316 East Broad Street, Block 3108, Lot 3**

1/25/2019

Applicant is seeking preliminary and final major site plan approval with variances to construct a dormer addition contrary to Section 17.02C5b of the Land Use Ordinance. Ordinance requires 13 parking spaces. Proposed are 9 parking spaces. **Application deemed complete February 1, 2019. 120 day decision date is June 1, 2019.**

Frank McIntyre, Esq. appeared. Mr. McIntyre stated he is a member of FAB Properties LLC., which owns the property, and his law practice is located on the first floor. The second floor has four offices which are antiquated and currently vacant. The dormer addition will enlarge the existing second-floor office space and it would increase the headroom. The additional square footage will increase the parking requirement to 13 parking spaces, and there are only 9 existing parking spaces. Mr. McIntyre stated he has an arrangement with the owner of the funeral home next door. Their parking area is right behind our building, and if there is any overflow parking from our clients, they can park at the funeral home. When the funeral home has overflow parking, they park in the law office lot. There is also on-street parking in front of the building or on St. Paul Street.

Open to public comments and questions. None. Closed to public comments and questions.

The Board agreed this a design sensitive way to expand and make the building more adaptable to the new use. The construction would not be visible from the front of the building. The Board liked the shared parking arrangement and agreed there is ample on-street parking in the area.

Chairman Newell called for a motion. Anastasia Harrison made a motion to approve; Darielle Walsh seconded.

ALL IN FAVOR:	Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael La Place, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman
OPPOSED:	None
ABSTAINED:	None
ABSENT:	Linda Habgood and Michael Ash

Motion carried.

Application approved.

OTHER BUSINESS:

Review General Ordinance 2128 -Amendment to the Land Use Ordinance Amending Certain Provisions Pertaining to the Commercial Use of Rooftops

Review General Ordinance 2129-Amendment to Article 21 of the Land Use Ordinance as it Relates to Penalties for Violations of the Land Use Ordinance

Don Sammet stated the Mayor and Council have referred to the Board, Ordinance 2128 & Ordinance 2129. Ordinance 2128 amends the prohibition of music, video, and tv on rooftops.

The Board had initially recommended removal of this condition when it first reviewed the commercial use of rooftops ordinance last year. The Board's recommendation was examined and it was agreed that music and televisions are customarily present at eating and drinking establishments. Ordinance 2129 modifies the maximum penalty for violations of the Land Use Ordinance. The penalty will be raised from a \$200 maximum to a \$2,000 maximum for each violation. Also, the time period given to remedy a violation increases from 5 to 30 days.

Open to the public for questions and comments. None. Closed to questions and comments.

A motion was made and seconded that the ordinances are consistent with the master plan and should be recommended for adoption by the Town Council as written.

ALL IN FAVOR:	Robert Newell, Mayor Shelley Brindle, Darielle Walsh, Kris McAloon, Michael La Place, Anastasia Harrison, Matthew Ceberio, Ross Goldstein, Ann Freedman
OPPOSED:	None
ABSTAINED:	None
ABSENT:	Linda Habgood and Michael Ash

Motion carried.

There being no further business, a motion to adjourn was made, seconded and carried. The meeting adjourned at 7:55 pm.

Respectfully Submitted,

Linda Jacus
Administrative Secretary